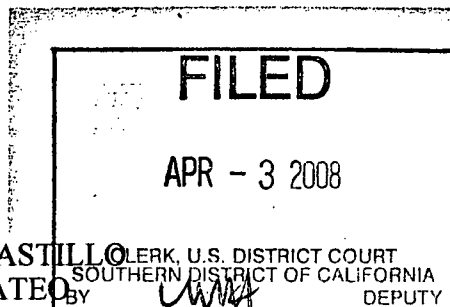


Wayne C. Mayer
Law Offices of Wayne C. Mayer
4619 Van Dyke Avenue
San Diego, CA 92116
(619) 281-9263
Fax (619) 281-2963



Attorney for Material Witnesses:

OMAR CUELLAR CASTILLO
PEDRO GARCIA MATEO
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FORTINO ALVARADO ORTEGA,
ALEJANDRO ROSAS CAMPIZ,

Defendants.

Case No.: ~~00 CR 0917 BEN~~ *08mj Della CAB*
DECLARATION OF OMAR CUELLAR
CASTILLO IN SUPPORT OF MOTION FOR
VIDEOTAPED DEPOSITION OF
MATERIAL WITNESS(ES):
DATE: April 3, 2008
TIME: 9:30 AM
DEPT: Bencivengo

I, OMAR CUELLAR CASTILLO, declare:

1. On or about February 28, 2008 there were a number of undocumented aliens being smuggled into the United States, I was one of three men detained and designated as material witness, the others either escaped or were released the night of the arrest;
2. I have made a diligent effort to locate surety for myself but have been unsuccessful, there is no one in the United States that can assist me in posting a material witness bond;
3. I am married and need to work to support a wife, a two year old child and mother at home in Mexico who rely on me for their financial support;

- 1 5. I am a citizen and resident of the Acayuca, Veracruz, Mexico and need to return to
- 2 Mexico to support my families who rely on me for their support;
- 3 6. I entered the country illegally by crossing the border on foot on February 27, 2008. I did
- 4 not have permission to enter the United States or have legal permission to enter the
- 5 United States or remain in the United States;
- 6 7. A dark colored picked arrived at the place where I had been hiding and waiting in the
- 7 bushes near the side of a paved road, when the dark colored pick up stopped I jumped in
- 8 the bed of the truck along with the other nine or so individuals waiting with me;
- 9 8. I was not afforded a view of the driver and can not identify either of the defendants who
- 10 drove the vehicle(s) or are being charged in this case with assisting or smuggling me in
- 11 entering the United States;
- 12 9. I was to pay someone a smuggling fee of \$1800 after entering the United States;
- 13 10. I came to the United States in search of employment in order to support my family that
- 14 remained behind in Mexico and I need to work to support my family;
- 15 11. It would be a hardship on myself and my family to be detained any longer;
- 16 I make this declaration under penalty of perjury and the laws of the United States of America
- 17 and California.
- 18

19 Dated: April 2, 2008

Omar C.C.
s/ OMAR CUELLAR CASTILLO
OMAR CUELLAR CASTILLO
Material Witness